

their spare capacity, if deemed necessary, to achieve those goals”;

Whereas some vendors of motor fuels in the United States may have taken advantage of the uncertainty created by the terrorist acts of September 11, 2001, by knowingly charging in excess of a reasonable price for motor fuels, a practice commonly known as “price gouging”; and

Whereas price gouging is detrimental to consumer confidence and the economy of the United States, and was particularly detrimental during the hours and days after the terrorist acts of September 11, 2001: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) condemns any price gouging with respect to motor fuels during the hours and days after the terrorist acts of September 11, 2001; and

(2) urges the appropriate Federal and State agencies to investigate any incidents of price gouging with respect to motor fuels during the hours and days after the terrorist acts of September 11, 2001, and to prosecute any violations of law discovered as a result of the investigations.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### PRESERVING VIABILITY OF UNITED STATES AIR TRANSPORTATION SYSTEM

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure and the Committee on Ways and Means be discharged from further consideration of the bill (H.R. 2891) to preserve the continued viability of the United States air transportation system, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

Mr. OBERSTAR. Mr. Speaker, reserving the right to object, I yield to the gentleman from Alaska (Mr. YOUNG), the chairman of the Committee on Transportation and Infrastructure for a brief explanation of the pending legislation.

Mr. YOUNG of Alaska. Mr. Speaker, I thank my good friend, the ranking member on the committee, for yielding.

Mr. Speaker, on September 11, 2001, the FAA grounded every air carrier in this country within a 2-hour period. This is absolutely necessary for the safety and protection of our country and our people. Remember, September 11, this tragic incident, but the aviation industry immediately and cooperatively obeyed the order, without any resistance or debate. As private industries, they put the welfare of the American people above their own profit and their own welfare.

Unfortunately, we are now facing a serious crisis that may result in a severe reduction in our air transportation system.

□ 2330

We will be, in the very near future, facing layoffs of the airline industry, reductions in flights. And those in Texas will not fly; may you walk and may you die in the desert. There will be reduced capacity and other significant effects, because the air industry in this Nation is one of the most important parts of our commercial fleet.

The ripple effect on our economy will be enormous. We are an economy built on the ability to move goods and people at a reasonable cost. The purpose of H.R. 2891 is to keep our U.S. air transportation system alive and able to serve its important functions for our country, because we shut down the industry.

The bill will provide an immediate ability to the President to provide loans and other assistance to U.S. air carriers, and also to compensate those carriers who can document direct losses because of the actions of our government to protect our national security. This authority would only be for 6 months. For 6 months, ride your horses. It is to provide short-term assistance. Any claim for losses has to be documented and proven. The current crisis requires this action be taken as quickly as possible to preserve not only the financial viability of the airlines, but also to protect the general public welfare.

May I suggest, those that may object to this, understand one thing: rail, road, ship and air. I am the chairman of the Committee on Transportation, and if my colleagues decide not to support this bill, then my colleagues suffer the facts, because my colleagues will not be able to fly. And I said, ride your horses, paddle your canoes, and go where you think you may go. But the airline industry, and I am the chairman of this committee, is in serious, serious trouble. Not because of today, necessarily, not because of the past, but because this tragedy was not their doing. And to have someone object to this means that they say no longer is air transportation important. And let me tell my colleagues, those that want to fly, fly; but do not do it just with wings from the airplanes, fly with yourself. Try flapping your arms; you are not going to get there. You are not going to get there. And that includes the gentleman from Florida (Mr. YOUNG).

My colleagues have to understand what I am saying. That is not about corporations, it is not about Social Security, it is not about the financial institutions, it is about the economy of this country. I studied this, and the gentleman from Minnesota (Mr. OBERSTAR) studied it in his time.

Mr. OBERSTAR. Mr. Speaker, further reserving the right to object. The events of Tuesday, as the chairman has already expressed, have thrown the airline industry, as the first line of target

of terrorism, into an absolute tailspin. The industry has been shut down. It has no revenue streaming in, it has costs going out. It has to pay its pilots, its flight attendants, its mechanics, baggage handlers, and other personnel. They are under contract to do so. They have no revenue coming in. When air travel does resume, two revenue streams have already been denied the airlines: mail and cargo aboard passenger aircraft. Airlines are collectively losing some \$340 million to \$400 million a day. They have already lost over \$1 billion, and over this weekend will accumulate losses of up to \$5 billion. The industry could be in complete financial liquidation within a week or two.

What we have proposed in this legislation is an authorization from, listen to the language, from funds made available in subsequent acts. This is not money coming out of the appropriation we approved earlier in the day. It will have to be approved in subsequent acts, and as the chairman has already said, the airlines will have to submit specific showing of losses to the President of the United States, resulting from events that occurred on the 11th of September, and subsequently, and will have to demonstrate that their losses also resulted from the ground stop on aviation service ordered by the Secretary of Transportation.

The reach of this disaster is nationwide, and this is a \$600 billion sector of our national economy. It underpins all the rest of the national economy. It gives us the greatest mobility in the world. Two-thirds of all the world's air travel occurs in the United States' airspace. Airlines today cannot get access to the lines of credit that they have lined up at financial institutions because the draw and the demand on those financial institutions is so great that they are reluctant to release the dollars available to them in lines of credit.

Secondly, financial institutions have put all the airlines on credit watch.

Third, their insurance, their liability insurance, has doubled overnight, and they carry insurance against such tragedies.

Fourth, when the terrorists struck, airlines had \$35 billion in aircraft and aircraft engine orders, positioned with Boeing, Pratt & Whitney, and GE. They are going to cancel those orders and the effect is going to ripple throughout the whole national economy, with layoffs from the East Coast to the West Coast and from the north and to the south.

What we are proposing to do tonight is to get an authorization in place so that when financial markets open on Monday, airline stocks do not tank and airlines do not go under and they shut down forever. That is what this is about.

Yes, it is on short notice; no, we did not go through the hearing process. We

did not have time. We consulted with all that we could in the very short period of time. We are facing an airline crisis and the airlines need some recognition that Congress will act to prevent a financial liquidation of the airline industry.

Mr. Speaker, further reserving the right to object, I yield to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Mr. Speaker, I say to my colleagues, please, because I know there is some question about objection, I am pleading with my colleagues, I am making a plea to my colleagues, one Member to another. Every one of my colleagues know me here, some longer than others. Every one of us are colleagues here. Every one of us understands that if another Member asks something of someone, that something is fundamental to the very well-being of their constituents. Please give the benefit of the doubt.

That is what this is about tonight. I realize, as both the chairman and as the ranking member have made clear, I am sure there are a myriad of difficulties associated with this proposition, but there is good and sufficient time subsequent to tonight to deal with all of those. I am sure the chairman would agree and that the ranking member would agree.

□ 2340

I am here to tell Members that the State of Hawaii is at risk of bankruptcy if there is not confidence in the people of this country being able to fly. I am not trying to deal with hyperbole, I am not trying to deal in rhetorical flights, I am saying the basic, fundamental, fiscal facts of life for my State.

I am pleading with the gentleman. Surely none of us are sufficiently filled with wisdom to understand the ramifications of every nuance of this legislation, but we have to have enough confidence and trust in one another to give ourselves the opportunity to come to grips with these various problems, including, Mr. Speaker, the most fundamental one.

What terrorists seek to do is not necessarily to kill people. If that happens, from their point of view, well and good. But they seek to instill fear and discord and anxiety and loss of confidence. That is what this is all about. We cannot succumb to that or they win.

There is not a person in here, Mr. Speaker, since Tuesday, that has cast a vote with which they were completely at ease. I do not believe that a single Member here has been completely at ease, or maybe even mostly at ease with every vote.

But I plead with any Member who is thinking of objecting tonight, please do not do it. Please give us the opportunity to act as colleagues. Please do

not put at risk millions of jobs, not tens of thousands, millions of jobs. Do not forget that most of the foodstuffs in this country travel by air. The exports from State to State, it is not just road, it is in the air.

So we must not take a chance that the legislation that has been crafted and the money associated with it will be dealt with anything other than in circumstances in which the greatest possible care will be taken when it comes to the floor after conference.

Mr. OBERSTAR. Further reserving the right to object, Mr. Speaker, I yield to the gentleman from New York (Mr. LAFALCE).

Mr. LAFALCE. Mr. Speaker, I thank the gentleman for yielding to me.

Yesterday I stood up within the Democratic Caucus and I said, "It is going to be necessary, in my judgment, to come to the assistance of the airline industry of the United States." I said that I believe that our financial institution and our regulators stand ready to use all the powers that they have under law to do that.

I was a bit dumbfounded today when, in the caucus at approximately 4:30, the Democratic Caucus, I found out for the first time that we might be considering a bill that was intended or that we consider a bill authorizing up to \$15 billion, \$12.5 billion in loans or loan guarantees, and \$2.5 billion for compensation, grants for direct losses.

I expressed some concerns in our Caucus about that, rather strong concerns. I went back to my office, and I discussed it with my staff. My staff said, this is already being reported in *The Washington Post*. It is a virtual done deal.

I went to the Internet, to *The Washington Post*, and they ran a story at 4 o'clock and the story at 4 o'clock quoted the gentleman from Minnesota (Mr. OBERSTAR) as saying that we were going to consider a bill tonight that authorized up to \$2 billion in loan guarantees and \$2 billion in grants, a total of \$4 billion. So sometime between 4 o'clock and 4:30, the \$4 billion went to \$15 billion. Now, I am not sure about the accuracy of that story on the Internet in *The Washington Post*, but that is a big jump in half an hour.

I know I said yesterday we were going to have to help the industry, but I was a bit surprised at how this is evolving. First of all, we know the Senate is not going to act at the earliest until Thursday. I do not know if they are going to go along with this.

Secondly, I saw the gentleman from Ohio (Mr. OXLEY) on the floor yesterday. I said to him, "We have to get to the Senate. The House passed the Defense Production Act, which expires September 30. We have to make sure that the Senate passes the exact same bill."

Under the Defense Production Act, the President already has the author-

ity to do, in my judgment, what we are doing in this bill. I suppose Members could argue that, but we have always interpreted it broadly. Okay. That could be debated. I appreciate that.

But there is another issue. I have been concerned about insurance. I have been concerned with whether or not insurance policies which cover businesses might be interpreted by insurance companies not to cover acts of terrorism, as called for, because there are exceptions, acts of war, and they might argue.

So I talked with the superintendent of insurance of New York, and he said to his knowledge all the domestic insurers that he has talked to, and the reinsurers, are being very forthcoming, saying immediately, "We are going to pay for these acts of terrorism. We are not even going to argue that there is a possibility that there was an act of war. We are paying for it."

I suspect but do not know, and maybe Members could educate me, that every airline has property and casualty insurance for damage to the planes, and reinsurance; and secondly, business interruption insurance. But I do not know this.

The point is, we need to look into this. I do not know whether they do or do not have full insurance for their losses, or insurance for their business interruption, but most businesses I know do have adequate property and casualty insurance and reinsurance, and do, in fact, have business interruption insurance.

Mr. OBERSTAR. Mr. Speaker, reclaiming my time, I just want to make the point that airlines do not have business interruption insurance as a regular course of business.

Mr. Speaker, further reserving the right to object, I yield to the gentleman from New York (Mr. LAFALCE).

Mr. LAFALCE. Mr. Speaker, I ask the gentleman, why not?

Mr. OBERSTAR. Mr. Speaker, this is the not the time to debate why not.

Mr. LAFALCE. Mr. Speaker, the last point I want to make is we have to be very careful when we pass loan guarantee legislation that we establish conditionality. I mean banks establish conditionality. The World Bank, the IMF established conditionality. We established conditionality with the Chrysler loan guarantee bill. We got some warrants for it, too. We made money on it. We establish conditionality with New York City. If we are going to do this, and if by some chance this passes tonight, we ought not to come back with a conference report until all these questions are raised under the strongest possible conditions.

Having said that, I thank the gentleman.

Mr. OBERSTAR. Mr. Speaker, further reserving the right to object.

Mr. YOUNG of Alaska. I appreciate the gentleman's comments.

Mr. OBERSTAR. Mr. Speaker, I yield.

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Alaska will suspend. The time is being controlled right now by the gentleman from Minnesota.

Mr. YOUNG of Alaska. Mr. Speaker, I understand that.

The SPEAKER pro tempore. The gentleman from Alaska will suspend. The time is being controlled by the gentleman from Minnesota. Will the gentleman from Alaska let the gentleman from Minnesota give him the floor.

Mr. YOUNG of Alaska. Mr. Speaker, I thought he did that.

The SPEAKER pro tempore. He has not. The gentleman from Minnesota.

Mr. YOUNG of Alaska. Mr. Speaker, I am amazed. You are a little slow.

Mr. OBERSTAR. Mr. Speaker, I am happy to yield to the Chairman.

Mr. YOUNG of Alaska. Do not shake your head, Mr. Speaker. I am also a Member, just as you are.

The SPEAKER pro tempore. The gentleman from Alaska will suspend. The time is controlled by the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Speaker, further reserving the right to object, I yield to our chairman, the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Speaker, I thank the gentleman, and out of respect to the Speaker, he is not too quick when it comes to picking up when the gentleman yielded to me.

I would also say just one thing. What bothers me most about this debate is what we are thinking about is the time frame. If we do not do something tonight and the market opens up Monday, I want everybody to think about this, we are hoping and I am praying because I have been through about four of these and some of you have not, being one of the seniors Members of this House. When most of the American people come back and, in fact, believe in America and the faith of America and will not drop the stock market. I have watched this. Check the Gulf War. Check World War II. Check the Korean war and the Vietnam. I have been all through them.

I believe the American people will, in fact, stand up and say yes we are willing to invest; but I will tell you what will happen. We have airline industry on the verge of collapse, and if we do not lay down a mark in the sand and say, yes, we are willing, because of action of our government to back up those airline industries to allow some moneys, they will start going down and every other stock will start following it. Keep that in mind. Keep in mind what I am saying here.

I may be wrong, I hope I am wrong, but if you do not pass this tonight, and Thursday when we have a crash, I hope that those who object to this understand what I am saying because you have created it.

Mr. OBERSTAR. Mr. Speaker, reclaiming my time, and I respect the gentleman's heartfelt comments, I yield under my reservation to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding, and let me say I do not think anyone who is raising questions tonight is trying to do anything except meet our constitutional responsibilities to know what we are doing before we spend taxpayers' money.

Now, the gentleman from Alaska is a good friend of all of ours; and he has conveyed to us a sense of urgency and he has also conveyed the message that somehow if we do not do what he wants, do it on the basis of almost no explanation and something bad happens, it is our fault.

I would suggest I would like to have fewer threats and more information. How about less rhetoric and more information. I would like to ask some questions. I would like to ask some questions if the gentleman would yield.

□ 2350

We have had no hearings on this. We have had no statement of position from the administration. My staff was told by some proponents of this proposition that OMB was in fact recommending it. When we called OMB, they indicated that while they had a person in the room, that person was there for observation purposes and as a resource only; that they did not have a position.

Not a single person from the administration has contacted, to my knowledge, any member of the Committee on Appropriations when we were in the conference last night arranging the dollars which the gentleman now is seeking to spend, or at least was originally. I do not think a single person from the industry talked to any of the conferees last night to explain why this needed to be turned into an appropriation.

I do not have any answer to the question of what authority the Federal Reserve has in this situation. I had been given the impression today that the Federal Reserve had some authority to establish a fund to provide loan guarantees. I would like to know what authority the Federal Reserve has. If they have not exercised that authority, I would like to know why people think they have not exercised that authority.

These are all reasonable questions that every Member, Republican or Democrat alike, has the right to have an answer to.

I would also like to note if it is being proposed, why is it not being proposed as a mandatory under those pay-go rules rather than adding to our discretionary spending? The supplemental that we passed earlier today grew in 2 days' time from \$5 billion to \$20 billion to \$40 billion, and now people want to spend an additional \$15.5 billion. That is enough to give Topsy a bad name.

Now, we have laid out a lot of questions, and I have one very serious procedural question. The language in the proposal the gentleman seeks to introduce says, "Notwithstanding any other provision of law, the President is authorized from funds made available in subsequent acts to take the following actions," blah, blah, blah. Now, that language, as it stands, is reasonable. But what happens if we allow this to come to the floor? What happens if the Senate, when they come back into session, takes this bill, strikes that language and allows my colleagues to take all of the money out of the funds that were just appropriated for the purposes which we appropriated before on the floor earlier?

Mr. OBERSTAR. Mr. Speaker, reclaiming my time, I will assure the gentleman that the language that is in the bill will come back from conference, or we cannot come back to this body.

Mr. OBEY. If the gentleman will continue to yield, do we have the assurance of all of the bill managers that if the Senate in fact deletes this language that this legislation will not be brought to the floor?

Mr. OBERSTAR. I have consulted with the Chair of the Committee on Transportation and Infrastructure, which has jurisdiction over this matter, in deference to my colleague from New York, that we are bringing a proposition to the House floor in full faith, with this language, and we could not come back here without that language.

Mr. OBEY. Does the House leadership provide that same commitment?

Mr. YOUNG of Alaska. Mr. Speaker, will the gentleman yield?

Mr. OBERSTAR. Further reserving my right to object, I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Speaker, I am hoping the House leadership will follow the lead of the Chair of the committee and the ranking member. We work very closely, and I am confident that they will.

If they do not, it is not going to come back.

Mr. OBERSTAR. Further reserving my right to object, I yield to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I think if this is to be considered tonight, and I think, obviously, there are other Members with other concerns, and I still have not heard an answer to the Federal Reserve question, which I think the gentleman from South Carolina (Mr. SPRATT) may have some information on, but I think it would be very important, and I would like to hear what the gentleman from Florida says on this matter; but I think it would be very important to have understandings across the board, including from the leadership, that if that were to occur in the Senate, this vehicle would not be brought back to the House and that we would start anew with new legislation.

Mr. OBERSTAR. Reclaiming my time, Mr. Speaker, I thank the gentleman for his observations, and we will attempt to get the resolution to the question about the Federal Reserve; but I do not know of a situation where the Federal Reserve comes in to provide the help as the gentleman has suggested.

Mr. OBEY. Would the gentleman from Minnesota consider yielding to the gentleman from South Carolina to answer the question about the Federal Reserve?

Mr. OBERSTAR. I yield to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, the Federal Reserve used to have a regulation called Regulation V, for V loans. It dated back to the war but was carried over from the war and renewed each year in the Defense Production Act.

The last entity that I know which qualified for a Reg V loan was the Penn Central. They were to have obtained a \$400 million V loan in the early 1970s, until the Reagan administration reversed course and decided against it on the day of closing. I know, because I was working in the Pentagon then. I was tangentially involved with it.

I do not know whether the V loan authority is still on the books, but it applied to transportation nexuses. Where significant transportation nexuses in this country were at risk, it is my recollection it was applicable to those circumstances.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for that clarification, and I thank the gentleman from Wisconsin.

Further reserving the right to object, I yield to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Speaker, I thank the gentleman for yielding to me.

I would address my colleagues and point out that this has been an extraordinary week. It has been a week in which we have come together. It has been a week when we have stood united, not Republican and Democrat but American. It has been a week in which the debate on this floor has been characterized by immense unity, where we have worked together. I do not want the debate tonight to change that tone.

This is an extraordinary situation. I understand the reservations and the concerns of everybody on each side. I understand the passion of the chairman of the Committee on Transportation and Infrastructure. I understand the concerns of others on the other side. I would simply argue that we stop and reflect. We are being asked tonight to do something extraordinary, but these are extraordinary times.

I would say that those who have expressed concerns, fiscal concerns, appropriators such as the gentleman from Wisconsin (Mr. OBEY), who is the ranking member of that committee, has le-

gitimate concerns here and they ought to be considered. But, again, I would argue these are extraordinary times.

The markets will open Monday morning. The signals we send on this floor are vitally important. It seems to me it is clear nothing will become law as a result of what we do tonight. We must await the action of the Senate. But we can send a signal tonight on this piece of legislation, like the signal we sent on the very last piece of legislation. We can send a signal that says the United States Congress understands that the airline industry has been massively damaged by what has happened in the last week and that colleagues like the gentleman from Hawaii (Mr. ABERCROMBIE) are suffering dire consequences as a result of that.

I would like to just draw a quick analogy. As we watched in horror on Tuesday when the World Trade Center collapsed, that collapse, if you talk to an engineer, was because one floor collapsed on the other and that floor was not designed to carry the weight of two. So those two collapsed on a third. And when those two collapsed on the third, that floor was not designed to carry the weight of three, and on and on and on. So we saw the collapse straight down to the ground of the entire building.

Our enemies did not seek just to destroy the World Trade Center or the Pentagon; they seek to destroy our economy, and we had better be sure that we do not let them do that. Their goal is not merely, as the gentleman from Hawaii (Mr. ABERCROMBIE) said, to kill individuals; it is to instill terror and fear and to cause us to freeze as a Nation. We must get our airlines back in the air; we must as individuals get back on those airlines. We must fly on them. Our sports games must resume. Our economy must resume in full force. And this is one minor step we could take.

I understand that there have been assurances from the Committee on Transportation and Infrastructure that they will abide by the negotiated language tonight. I hope that the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations, is going to express his view that that language is critical and they must agree to live with that language in the conference committee.

But if they do, I would hope that those who have a desire to object tonight, and who are thinking about objecting as a result of the fact that this is happening in extraordinary procedure, would consider the extraordinary times that we are in.

□ 0000

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. OBERSTAR. Mr. Speaker, let me yield under my reservation further to the gentleman from Wisconsin (Mr.

OBEY), then the gentleman from Pennsylvania (Mr. KANJORSKI), and then the gentleman from Florida (Mr. YOUNG).

Mr. OBEY. Mr. Speaker, two additional questions I would like to have answered. What is the position of the administration? Are they recommending this or are they not? Secondly, what is the budget scoring associated with this proposal? My understanding is that when we were considering loan guarantees for Amtrak, that scoring for loan guarantees was 100 percent. If that is the case, in this instance we are looking at a \$15½ billion package here.

Mr. YOUNG of Alaska. Mr. Speaker, will the gentleman yield?

Mr. OBERSTAR. Does the gentleman from Wisconsin have a further question?

Mr. OBEY. Those are the two.

Mr. OBERSTAR. I yield to the chairman, the gentleman from Alaska for a response.

Mr. YOUNG of Alaska. I thank the gentleman from Minnesota (Mr. OBERSTAR). The administration was in the meeting. They have no objection to this legislation. That has been made clear to me. They were very cognizant of the problem we have facing us today.

Mr. OBEY. Are they willing to ask for it so we know they have run the trap lines and think this is fiscally sound?

Mr. YOUNG of Alaska. Unfortunately, the trap lines today are a little bit fogged and a little bit cluttered with other things in our minds, but my information as they were sitting in our meeting with members of the leadership, the White House was there, and they had no objection at the time, and they in fact said we believe this is a go.

Mr. OBEY. That is contrary to the information from my staff.

Mr. YOUNG of Alaska. I do not have a letter in my hand right now. We started this at 4 o'clock this afternoon.

Mr. DOGGETT. That is the whole problem. You started at 4 o'clock.

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Texas (Mr. DOGGETT) will suspend. The time is being controlled by the gentleman from Minnesota (Mr. OBERSTAR).

Mr. YOUNG of Alaska. Will the gentleman yield?

Mr. OBERSTAR. I yield further to the chairman.

Mr. YOUNG of Alaska. Mr. Speaker, I want to say for those who are out of order, and they are out of order, this has been going on for 3 days. Do not tell me 4 o'clock in the afternoon. The ranking member and I have been working. We have tried to figure it out. We know the danger. We know what is going to happen. So do not anybody stand in the audience and blurt out like somebody at a circus and say in fact it started at 4 o'clock this afternoon.

Mr. OBERSTAR. Further reserving the right to object, I yield to the gentleman from Pennsylvania (Mr. KANJORSKI).

Mr. KANJORSKI. Mr. Speaker, I have a great deal of respect for the chairman and ranking member. I think we are in a contest here that can be easily resolved. What we are trying to do is send a message to the stock market on Monday. I think that is a reasonable thing to do.

Why do we not pass tonight a sense of the House resolution that this Congress intends to establish an emergency finance administration to take care of not only the airline industry, but potentially the insurance industry, the banking industry, or any part of our industry that may suffer as a result of the disaster of September 11.

That will take care of the message. That will give us the 4 days between now and Wednesday when we return to have sufficient consultation to see whether or not this is sufficient, whether it should be enlarged or whether it should encompass other companies, other industries and other problems. It should not be done at the 12th hour, when we are about to recess, when we all know the Senate has already recessed until next Wednesday. Nothing can be done.

In reality we are trying to send a message to the American people and to the American markets. We can accomplish that by a House resolution expressing the intent of Congress to respond. But it is a fair objection to any Member of this House not knowing what the particularities and the effects and consequences of this piece of legislation will have because we have not had the opportunity to study it. By Wednesday we can stay in town and craft a piece of legislation that will cover all those contingencies and send a broader message to the American people and the American markets that the Congress of the United States and the American government is going to see that the economy of the United States survives.

Mr. OBERSTAR. I appreciate the suggestion of the gentleman, but I respectfully observe that the airlines cannot take a resolution of Congress to the bank.

Mr. Speaker, I yield to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, I thank my colleague for yielding.

I know the concern for my colleagues about the lack of the language and the concern that we have not had the time to look at this, but also know the devil is what is going to happen between now and next Thursday when we come back in. It is not just Hawaii. It is not just Chicago. It is every major city in the country. The airlines cannot do this, cannot sustain this. That is what concerns me.

If we are willing to stand here and say I am going to object because it was

not brought up to me because of my committee, then I would hope that between now and next Thursday when we see the layoffs and we see what happens, because no business can continue to pay people when you are only running 25 to 30 percent of your load, I do not care what kind of business you are in. So that is what worries me. This Congress has to be flexible enough in these emergency times to be able to make sure that we have the safety net for our infrastructure, and our airlines are an important part of the infrastructure. Thank you for allowing me to speak.

Mr. OBERSTAR. I thank the gentleman. I would be happy to yield to the chairman who sought recognition earlier.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

Mr. YOUNG of Florida. Mr. Speaker, reserving the right to object, I do so because I have some questions that I would like to have answered by my friend and colleague from Alaska.

Mr. YOUNG of Alaska. Mr. YOUNG.

Mr. YOUNG of Florida. That is the reason why I am down here rather than beside him. I do not want there to be any confusion which one is which.

Mr. YOUNG of Alaska. Good or bad.

Mr. YOUNG of Florida. My friend from Alaska and the chairman of the authorizing committee made the point that this is not an appropriations issue. I disagree with that. This is an appropriations issue. In fact, the first language I saw, which was about 7:30 tonight, would have taken this \$15 billion from this supplemental emergency that we passed today to help recovery in New York and in Pennsylvania and in Virginia. I did not like that because we struggled to get that bill in the condition that we could all accept and vote for, which we all did. So I suggested some different language, and I believe that this new resolution or this new bill includes the language that I suggested, which was that any money coming from this bill would be subject to a subsequent appropriations bill. Am I correct?

Mr. Speaker, I yield to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Speaker, the gentleman is correct. You prevailed.

Mr. YOUNG of Florida. Good. Now what I want to make sure is that because we do not have any information, as the gentleman from New York (Mr. LAFALCE) pointed out, as we had in the Chrysler loan guarantees or the New York loan guarantees, we do not have any information like that. So we do not know where we are. We quickly believe that this is going to cost about \$15 billion. We used to have a little bit of information before we commit ourselves to \$15 billion.

So what I am asking for, and I believe the gentleman from Wisconsin (Mr. OBEY) asked a similar question, I want a commitment from my friend, the gentleman from Alaska (Mr. YOUNG) and my friend, the gentleman from Minnesota (Mr. OBERSTAR) that the language, if you ever come back from conference, that that language will be protected to guarantee that none of this money will come out of the supplemental that we passed today for the recovery from the terrible terrorist activities.

Mr. Speaker, I want a commitment on the gentleman's part, and we will not object if we can get that commitment, that the gentleman will not present a conference report here that will allow that money to come from the supplemental; that it would not, in fact, be subject to a subsequent appropriations action.

Mr. YOUNG of Alaska. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Speaker, it is my intention, as I explained to the gentleman from Wisconsin (Mr. OBEY), that is exactly what we are trying to do.

Mr. YOUNG of Florida. Mr. Speaker, the gentleman says "trying to do." I want a commitment. The gentleman from Alaska will have control over this conference.

Mr. YOUNG of Alaska. Mr. Speaker, I am sure the gentleman from Florida will be involved with it. I am sure the gentleman will be sitting beside me.

Mr. YOUNG of Florida. Mr. Speaker, I doubt that the gentleman from Alaska (Mr. YOUNG) would suggest that I be appointed as a conferee of his conference.

Mr. YOUNG of Alaska. If the gentleman would continue to yield, I am trying to say that we will do everything we can to protect the request of the gentleman from Florida. I cannot predict what the Senate is going to do.

Mr. YOUNG of Florida. Reclaiming my time, I understand that. I have been to conference many times with the Senate, but the gentleman from Alaska (Mr. YOUNG) can commit what he will do; and the gentleman from Alaska, as chairman, will control that conference, and the gentleman does not have to sign a conference report unless it is what he wants it to be.

Mr. YOUNG of Alaska. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Speaker, by the time we go to conference, if our airlines are not flying, it does not mean anything. By the time we go to conference, we will know whether this system works. That is what I am suggesting. This is an emergency. My friends, this is not every day.

Mr. Speaker, I have followed this industry from the bottom of my heart for

more than 10 years, and we are in serious trouble. If my colleagues do not understand where we are today, we have serious problems. I will commit as the chairman, if they are viable, everything is working well, then we have a commitment to make sure that they achieve the goals of having the commerce capability.

□ 0010

I am not trying to take money out of an appropriation. I never have.

Mr. YOUNG of Florida. I take back my time. The gentleman raised a sore point here. On TEA-21 and AIR-21, you took discretionary money and you put it into mandatory accounts and you created a problem for our Members who wanted programs in our transportation bill. You took that money into those programs, you reduced the amount of discretionary money available, and then in the few dollars we had left when the gentleman from Kentucky (Mr. ROGERS) brought a transportation appropriations bill on the floor here this year with some Members' projects in it, you sat right there and you, by a point of order, struck all of those projects. Do not tell me what you have done to appropriations bills.

Mr. Speaker, I yield to my friend, the gentleman from Kentucky (Mr. ROGERS), who is chairman of the Subcommittee on Transportation of the Committee on Appropriations.

Mr. ROGERS of Kentucky. Mr. Speaker, I thank the gentleman for yielding.

Let me ask the gentleman a question, or anyone here. Is there anything that would prevent the transportation authorization committee recommending to the floor and the floor passing this amount of money as a mandatory account immediately? Is there anything wrong with doing that? Why can we not do that?

Mr. YOUNG of Florida. I made that suggestion several times today and was rejected several times today.

Mr. ROGERS of Kentucky. I wonder, if the gentleman will yield further, if the chairman of the authorizing committee would agree. Let us just pass the bill out of mandatory accounts, doing exactly what you are talking about.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from California, the very distinguished chairman of the Committee on Ways and Means.

Mr. THOMAS. Mr. Speaker, I thank the gentleman for yielding.

My understanding is that there was a language change in which the language in the bill in front of us says, "Notwithstanding any other provision of law, the President is authorized from funds made available in subsequent acts," which would protect the gentleman in terms of his concerns about

the act passed today. I believe the gentleman's concern is that it may go over to the Senate and that language may not remain. It seems to me the appropriate commitment, if the chairman of transportation is willing to make it is, that this is the language that they commit to and that if it comes back differently, then they will not push it.

Mr. YOUNG of Alaska. And I agree.

Mr. YOUNG of Florida. I would say to the gentleman, I support that language. I offered that language today during a compromise session, and I agree with that language. I just want to make sure that is the language we will vote on when it comes back from conference. That is all I am trying to get.

Mr. THOMAS. If the gentleman will yield further, and if the commitment from the chairman of the Committee on Transportation and Infrastructure is that he will not support the bill if that language is not in the bill coming back from conference, if he agrees to that, is that a comfort level?

Mr. YOUNG of Alaska. I agree with that. I have been saying that for the last 15 minutes.

Mr. YOUNG of Florida. For the last 15 minutes the gentleman has said "if this" and "if that" and "maybe."

Mr. YOUNG of Alaska. He clarified it.

Mr. YOUNG of Florida. Wait just a minute. Coming back from conference and opposing a bill is one thing, but refusing to close the conference unless you like the language, that is something else. And you, as chairman, will control that.

Mr. ROGERS of Kentucky. If the gentleman will yield further, I did not hear an answer to my earlier question. Why can we not just pass a bill on the floor getting these moneys out of the mandatory accounts? Nobody would object to that. I would like an answer. Maybe there is an answer to this. Why not pass a mandatory account subsidization as we have been discussing?

Mr. YOUNG of Alaska. If the gentleman will yield, without getting myself in trouble, I have agreed to your language.

Mr. YOUNG of Florida. But they have already given me an answer to that several times. They are not going to do it, but they could.

Mr. YOUNG of Alaska. I gave you an answer. I agree with your language. We support your language. We talked about this today. The gentleman from Florida knows me. I have never backed out on my word. I may take your money, but I will do it up front. I am not going to take it behind you.

Mr. YOUNG of Florida. You did not take it behind me, but you sure took it.

Mr. YOUNG of Alaska. You bet I did, and I will do it again. But I am going to suggest one thing on this thing. What he suggested, that means a new

piece of legislation. I go back to what I have said again and again. I will say it again. We are looking at a time frame. I will admit, the Senate is not going to act, but that stock market opens Monday. If we do not have an assurance that these airlines are going to be taken care of in the sense they lost because we tell them they had to sit down, they are going down and the stock market will go down with them.

Let us talk about legislation later on, but let us think about tonight. Let us not think about 3 weeks down there, 4 weeks down there, but tonight and Monday. After Monday, we have got Tuesday, Wednesday and Thursday, and the Senate goes back in. If they do not want to do this, fine. But let us give them some line that the House of the people is backing it up and not going to let these airlines go down. And they will go down if we do not do this.

Mr. YOUNG of Florida. I got as much of an answer as I am going to get.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding. My problem with this is that every time we ask a question about what, we get an answer about why. We understand why the gentleman thinks it is necessary to proceed. What we are trying to do is work with him honestly and earnestly in order to find out what the best way is to proceed.

Now, the gentleman from Kentucky asked a question. He deserves to have an answer.

Mr. YOUNG of Alaska. And I told him if you want a new piece of legislation, go for it. But you cannot do it tonight. And we are going to recess tonight.

Mr. OBEY. With all due respect, if the gentleman will yield further, we still have not heard an answer to the gentleman from Kentucky's question. It does not mean that we have to go that way, but we would like to know why that option was rejected when he has proposed it and the gentleman from Florida has proposed it.

I have two other questions I would like to get out here because we are trying to work this out. We are not trying to block this. We are trying work it out, but we need some cooperation from the people who say they want this.

Other questions I have, I still do not know what the position of the administration is, and I need to know from them. I would ask the gentleman from Missouri or anyone else who might know. We are being asked to spend what could be up to \$15.5 billion. Good-bye, Social Security.

Mr. YOUNG of Alaska. Cut that out.

Mr. OBEY. That may be perfectly reasonable because this country cannot

operate without a functioning airline system. We understand that. But we want to know whether or not the administration is in support of this or not. Secondly, I want a clear response that if the language that the gentleman from Florida is referring to is not retained in conference, that that conference will not be brought back to this House floor, period. We need answers to those two questions.

And then there is a very troubling provision which has yet to be explained in this bill. On page 5, line 2, it refers to suspension, delay or modification of any quarterly payment or other Federal financial obligations to the United States by the air carriers. Does that mean that they are delaying payroll taxes? What taxes to the U.S. government are they delaying? We are supposed to be defending taxpayers' money. We have to have answers about what this means for taxpayers' money. I have not decided what I am going to do yet. But I would like some answers before we have to decide.

□ 0020

Mr. YOUNG of Florida. Mr. Speaker, I thank the Speaker for the courtesies this evening. I support the language we are talking about. I hope we can keep it.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. SHIMKUS). Is there further objection to the request of the gentleman from Alaska?

Mr. DOGGETT. Mr. Speaker, reserving the right to object, I think it was only a week ago, well, maybe not a week ago at this time, at 12:20 in the morning, but about a week ago that individuals in this House of both parties expressed their concern about our budget, our financial situation, about whether or not it would be necessary with the budgetary pressures that we have to reach into those monies that are payroll taxes, that businesses and individuals have paid in for their Social Security, and use that for other purposes.

In the tragic week that has transpired since that time, the world has been turned upside down for families in New York, in Washington, across the country. Certainly our situation with regard to the budget has been turned upside down as well. But it is not one that has made our situation better. It has made the pressures on our budget worse.

Last night this House, with no explanation as to the specific purposes for which the monies would be spent, voted to approve the expenditure of \$40 billion out of what are basically Social Security monies. That number went up from \$20 billion in the morning to \$40 billion at night.

Perhaps there were those that were watching the success of the growth of

those funds, because now, tonight, before all the bodies are removed, before the dust has settled, before perhaps all the fires are extinguished, there are those that are lining up here at the Capitol door, at the public treasury, asking that they receive some public subsidy, right out of the Social Security fund. Perhaps that subsidy is well justified. I may vote for it myself because it is so compelling. But if it is so compelling, it will be as compelling in the bright light of day as it is with insults and threats at midnight.

I feel that the taxpayers of this country are owed a better explanation than to hear about a bill at 4, with promises and and's, if's, or's and but's, that is going to take perhaps not just \$2.5 billion, but perhaps \$15 billion out of that Social Security money, that they are entitled to know a little more about it.

If it is so desperate and if it is so essential that this be accomplished before Monday, then I suggest we stay and work on it. I am prepared to do that. I suggest that we stay and have a hearing. If the gentleman has so much wisdom and insight on this, I suggest he convey it to us in the course of an ordinary hearing.

I have been asked tonight what it is that I want. I do not want anything special. I simply want the same consideration I would want for any expenditure of \$15 billion out of the Social Security monies, and that is a fair chance to ask some questions about it, to see it deliberated, to get a little investigation to question whether there is business interruption insurance, to question whether or not there are other resources, to question those who say if we do not get all this approved by Monday, people would be laid off. What guarantee is there that they will still be hired on Monday if it is approved? To ask if it is so very, very important that we act here after the midnight hour, why the President of the United States has not found it sufficiently important to call for it in some kind of proclamation.

So, for all of those reasons, I object to doing this tonight. I certainly would have no objection to the kind of resolution the gentleman from Pennsylvania has talked about, or some other way of expressing our concern about this; but I object to this bill coming up, if it has even been filed. I suppose in the last few minutes it has.

I object to it coming up in this fashion, in this manner. It sends a signal to others who will stand at the door of the Treasury and ask for their subsidy.

Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

#### PARLIAMENTARY INQUIRY

Mr. THOMAS. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. THOMAS. Mr. Speaker, did the gentleman from Texas misspeak? Did he in fact ask to continue to reserve?

The SPEAKER pro tempore. Objection was heard from the gentleman from Texas.

#### CONDEMNING BIGOTRY AND VIOLENCE AGAINST ARAB-AMERICANS, AMERICAN MUSLIMS, AND AMERICANS FROM SOUTH ASIA

Mr. GEKAS. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the concurrent resolution (H. Con. Res. 227) condemning bigotry and violence against Arab-Americans, American Muslims, and Americans from South Asia in the wake of terrorist attacks in New York City, New York, and Washington, D.C., on September 11, 2001, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

Mr. BONIOR. Mr. Speaker, reserving the right to object, first of all, I would like to thank the gentleman from Pennsylvania and the leadership of this House for bringing this resolution up. Particularly, I would like to thank the Speaker; the majority leader, the gentleman from Texas (Mr. ARMEY); the gentleman from Virginia (Mr. DAVIS), who has been so active; the gentleman from California (Mr. DREIER); and others. We appreciate the opportunity to have this resolution come before us this evening.

Mr. Speaker, I do not intend to object to this, but I think there are Members who would like to speak on this important resolution.

I will yield to the gentleman from Pennsylvania (Mr. GEKAS) and then to the distinguished majority leader.

Mr. GEKAS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the gentleman is correct, this is a resolution which has been approved by everyone in sight and is very apropos at this moment in our Nation's history, considering the events of this past week.

The only comment I want to make before the gentleman from Texas (Mr. ARMEY) will be elucidating on the subject is that we do not want to repeat as a Nation the insidious events that took place after Pearl Harbor with respect to the treatment of Japanese-American citizens, who had to suffer the indignities which are so well chronicled and which were so noted by this Congress in recent years.

So when we talk about treating Arab-Americans in the light of what happened this past week in similar ways, this resolution goes to the heart of that series of events.

Mr. BONIOR. Mr. Speaker, continuing my reservation, I yield to the